

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

KARLA COLON BRACERO

Petitioner

v.

UNITED STATES OF AMERICA

Respondent

Civil Case No. 12-1105 (PG)

ORDER

Defendant Karla M. Colón Bracero (the "Petitioner") filed a Motion to Vacate, Set Aside or Correct Sentence on February 16, 2012 (Docket No. 1-1). Several months later, the petitioner filed a Supplemental Motion to Vacate (Docket No. 9).

As per this court's request, on January 29, 2015, Magistrate-Judge Justo Arenas entered a Report and Recommendation ("Report" or "R&R") recommending that the petition be denied and warning the parties that they had fourteen (14) days to file any objections to the R&R. See Docket No. 21.

Pursuant to 28 U.S.C. §§ 636(b)(1)(B), FED.R.CIV.P. 72(b), and Local Rule 72(d), a District Court may refer dispositive motions to a Magistrate Judge for a Report and Recommendation. See Alamo Rodriguez v. Pfizer Pharmaceuticals, Inc., 286 F.Supp.2d 144, 146 (D.P.R. 2003). The adversely affected party may "object the magistrate judge's report of proposed findings and recommendations pursuant to 28 U.S.C. § 636(b)(1) within fourteen (14) days after being served a copy of it." Local Rule 72(d).

If objections are timely filed, the District Judge shall "make a *de novo* determination of those portions of the report or specified findings or recommendations to which [an] objection is made." Felix Rivera de Leon v. Maxon Engineering Services, Inc., 283 F.Supp.2d 550, 555 (D.P.R. 2003). The Court can "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate," however, if the affected party fails to timely file objections, "the district court can

assume that they have agreed to the magistrate's recommendation." Alamo Rodriguez, 286 F.Supp.2d at 146 (citation omitted).

Petitioner did not file objections to the Report, and the time allotted for doing so has already expired. Taking that fact into consideration and having thoroughly reviewed the R&R, we find no fault with Magistrate Judge Arenas' assessment and thus **APPROVE** and **ADOPT** his Report and Recommendation as our own. Consequently, petitioner's motions are **DENIED** and the above-captioned action will be **DISMISSED WITH PREJUDICE**. Judgment shall be entered accordingly.

IT IS SO ORDERED.

In San Juan, Puerto Rico, March 11, 2015.

S/ JUAN M. PÉREZ-GIMÉNEZ
JUAN M. PÉREZ-GIMÉNEZ
UNITED STATES DISTRICT JUDGE